

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket # BAYER 11 C1



IN RE APPLICATION OF: Jacques Dumas et al.
 SERIAL NO: 09/458,014
 FILING DATE: December 10, 1999
 FOR: INHIBITION OF P38 KINASE USING ACTIVITY SUBSTITUTED HETEROCYCLIC UREAS

AMENDMENT TRANSMITTAL

ASSISTANT COMMISSIONER FOR PATENTS
 WASHINGTON, D.C. 20231

SIR:

Transmitted herewith is an amendment in the above-identified application.

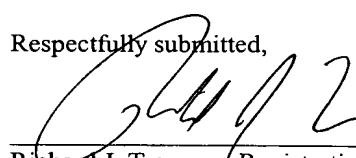
- No additional fee is required.
- Applicant(s) is/are entitled to small entity status.
- Additional documents filed herewith:

The fee has been calculated below:

CLAIMS	CLAIMS REMAINING		HIGHEST NO. PREVIOUSLY PAID FOR	NO. OF EXTRA CLAIMS	RATE	CALCULATIONS
TOTAL	53	MINUS	41	12	x \$18 =	\$216.00
INDEPENDENT	3	MINUS	3	0	x \$84 =	\$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS						
TOTAL OF ABOVE CALCULATIONS						
<input type="checkbox"/>						
<input type="checkbox"/> REDUCTION BY 50% FOR FILING BY SMALL ENTITY						
<input type="checkbox"/> RECORDATION OF ASSIGNMENT						
+ \$40 =						
TOTAL						
\$216.00						

- A check in the amount of \$216.00 is attached.
- Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to Deposit Account No. 13-3402. A duplicate copy of this sheet is enclosed.
- If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.36 for any necessary extension of time may be charged to Deposit Account No. 13-3402. A duplicate copy of this sheet is enclosed.

Respectfully submitted,


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Date: December 2, 2002

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PTO/SB/30 (08-00)

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/458,014
Filing Date	December 10, 1999
Examiner Name	Criares, Theodore J.
First Named Inventor	Jacques Dumas et al.
Group Art Unit	1617
Attorney Docket Number	BAYER 11C1

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**
 - a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered).
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. Other _____
 - b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other _____
2. **Miscellaneous**
 - a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
 - b. Other _____
3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
 - a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No.13-3402
 - i. RCE fee required under 37 C.F.R. § 1.17(e)
 - ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
 - iii. Other _____
 - b. Check in the amount of \$ 740.00 enclosed
 - c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print /Type)	<u>Richard J. Traverso</u>		Registration No. (Attorney/Agent)
Signature	<u>Richard J. Traverso</u>		30,595
Date	December 2, 2002		

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

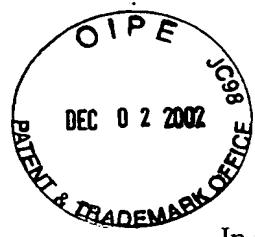
Name (Print /Type)			
Signature		Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jacques Dumas et al.

Examiner: Criares, Theodore J.

Serial No.: 09/458,014

Group Art Unit: 1617

Filed: December 10, 1999

Title: INHIBITION OF P38 KINASE USING ACTIVITY SUBSTITUTED HETEROCYCLIC UREAS

AMENDMENT WITH SUBMISSION OF RCE

Prior to continuing the examination of the allowed claims in the above application, please amend this application as indicated below and consider the remarks which follow.

IN THE CLAIMS

Please amend claims 1, 3, 6, 14, 28, 29, and 31 as follows:

1. (Amended) A method for the treatment of a disease mediated by p38 other than cancer, comprising administering a compound of formula I



wherein B is a substituted or unsubstituted, up to tricyclic, aryl or heteroaryl moiety of up to 30 carbon atoms with at least one 5- or 6-member aromatic structure containing 0-4 members of the group consisting of nitrogen, oxygen and sulfur, wherein if B is a substituted group, it is substituted by one or more substituents independently selected from the group consisting of halogen, up to per-halo_{substitution}, and X_n ,

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01 FC:1801
02 FC:1202

740.00 OP
216.00 OP